

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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**In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation**

**Master File No. 1:00-1898  
MDL No. 1358 (SAS)  
M21-88**

**This Document Relates to:  
*City of South Bend v. Amerada Hess Corp., et  
al.*, Case No. 04-CV-2056**

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**STIPULATION AND ORDER DISMISSING ALL CLAIMS AGAINST GULF OIL  
LIMITED PARTNERSHIP**

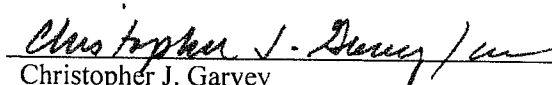
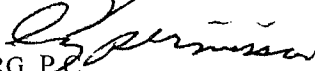
Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the Plaintiff City of South Bend and Defendant Gulf Oil Limited Partnership, hereby request that the Court enter this voluntary dismissal with prejudice of all claims against Gulf Oil Limited Partnership as set forth in Plaintiff's Seventh Amended Complaint, filed on October 23, 2006. The Parties agree to the dismissal and further agree that such dismissal is with prejudice, with each party bearing its own costs, expenses and attorneys' fees. Plaintiff reserves all other rights as against all other defendants.

DATED: May \_\_, 2009

DATED: May 12, 2009

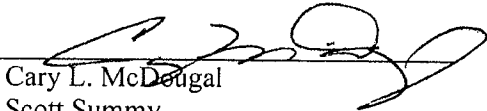


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*Attorneys for Plaintiff City of South  
Bend*

SO ORDERED:

\_\_\_\_\_  
The Honorable Shira A. Scheindlin  
United States District Judge

Dated: \_\_\_\_\_